



COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENERGY & ENVIRONMENTAL AFFAIRS
DEPARTMENT OF ENVIRONMENTAL PROTECTION
Central Regional Office, 627 Main Street, Worcester, MA 01608

DEVAL L. PATRICK
Governor

TIMOTHY P. MURRAY
Lieutenant Governor

IAN A. BOWLES
Secretary

LAURIE BURT
Commissioner

March 20, 2008

In the Matter of
Town of Lexington Conservation Commission

OADR Docket No. WET-2008-009
DEP File No. Superseding
Determination of
Applicability/Positive
Lexington

FINAL DECISION

Commissioner Laurie Burt has recused herself as final decision maker in this appeal. The matter was assigned to me for final review of the recommended decision.

I hereby adopt the recommended decision, as issued by the Acting Chief Presiding Officer, as the final decision of MassDEP. The appeal is hereby dismissed as moot for the reasons outlined in the recommended decision.

The parties to this proceeding are notified of their right to file a motion for reconsideration of this Decision, pursuant to 310 CMR 1.01 (14)(d). The motion must be filed with the Docket Clerk and served on all parties within seven business days of the postmark date of this Decision. Any party may appeal this Decision to the Superior Court pursuant to M.G.L.

c. 30A, §14(1). The complaint must be filed in the Court within thirty days of receipt of this Decision.

This final document copy is being provided to you electronically by the
Department of Environmental Protection. A signed copy of this document
is on file at the DEP office listed on the letterhead.

Martin Suuberg, Regional Director
MassDEP Central Region